

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

| | | |
|-------------------|---|---------------------------|
| ANTONIO CRAWFORD, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 2:20-cv-00538-JPH-DLP |
| |) | |
| T. J. WATSON, |) | |
| LT. MACKELLAR, |) | |
| |) | |
| Defendants. |) | |

**ENTRY SCREENING AMENDED COMPLAINT,
EXTENDING DEADLINE TO PAY INITIAL PARTIAL FILING FEE,
DIRECTING ISSUANCE OF PROCESS, AND SETTING DEADLINE FOR RESPONSE
TO REQUEST FOR PRELIMINARY INJUNCTIVE RELIEF**

I. Screening of Amended Complaint

Plaintiff Antonio Crawford is a transgender female prisoner currently confined at the United States Penitentiary in Terre Haute. She has filed an amended complaint by counsel, seeking declaratory and injunctive relief and damages. Dkt. 10.

Because Ms. Crawford is a “prisoner” as defined by 28 U.S.C. § 1915A(c), the Court has an obligation under § 1915A(a) to screen her amended complaint before service on the defendants. Pursuant to § 1915A(b), the Court must dismiss the complaint if it is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief.

Ms. Crawford has named two defendants: T. J. Watson, in his official capacity as Complex Warden for the Terre Haute Federal Correctional Complex; and Lt. MacKellar. Ms. Crawford alleges that the defendants have refused to provide her protection from known dangers of assault by her cell-mate and have denied her mental health treatment, in violation of her Eighth

Amendment rights. In addition to damages, she seeks preliminary injunctive relief, requiring the defendants to place her in an appropriate location where she is protected from harm and provide her with immediate treatment for her mental health needs, including her gender dysphoria. The amended complaint shall **proceed as presented**.

These are all the claims the Court discerns in the complaint. If Ms. Crawford believes that additional claims were alleged but not identified by the Court, or if the Court misidentified the claims being allowed to proceed, she shall have **through December 23, 2020**, in which to identify those claims.

II. Service of Process

The clerk is designated pursuant to Rule 4(c)(3) of the Federal Rules of Civil Procedure to issue process to Warden T. J. Watson, Lt. MacKellar, and the officials designated pursuant to Rule 4(i)(1), (3). Process shall consist of a summons, which shall be served with a copy of the amended complaint filed on November 30, 2020, docket 10, and a copy of this Entry, by the Marshal for this District or his deputy at the expense of the United States.

Because the plaintiff is proceeding, in part, under the theory recognized in *Bivens*, 403 U.S. 388, **personal service is required**. *Robinson v. Turner*, 15 F.3d 82 (7th Cir. 1994).

III. Other Rulings

The clerk shall update the docket by terminating as defendants the Federal Bureau of Prisons Director, Officer Marshall, and Lt. Edwards.

The clerk shall also modify the docket so that only plaintiff's counsel receives notice of filings, not the plaintiff. This is per the plaintiff's request.

The defendants shall respond to the request for preliminary injunctive relief **not later than fourteen (14) days** after service of process.

Given the nature of the claims and the immediacy of the harm alleged, the **clerk is directed** to provide a copy of this Entry to Shelese Woods, United States Attorney, and Rob Schalburg, legal counsel at the United States Penitentiary-Terre Haute.

SO ORDERED.

Date: 12/3/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

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